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10 Attorneys for Plaintiff

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,) CR No. 07-0295 MAG
15 Plaintiff,) STIPULATION AND [PROPOSED]
16 v.) ORDER EXCLUDING TIME
17 NICOLE L. MAYS,) SAN FRANCISCO VENUE
18 Defendant.)
19 _____
20 _____

21 On July 10, 2007, the parties in this case appeared before the Court for a status hearing. At
22 that appearance, Assistant Federal Public Defender Elizabeth Falk informed the Court the
23 Defendant was unable to appear in Court due to work-related obligations. AFD Falk stated that
24 her office was continuing to investigate the case, and that she had just received a draft plea
25 agreement from Counsel for the government. Therefore, the parties requested that the matter be
26 continued to July 24, 2007, at 10:30 a.m. for a change of plea. In addition, Counsel for the
27 government requested an exclusion of time from July 10, 2007 to July 24, 2007, in order to
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1 afford AFPD Falk an opportunity to further investigate the case and consider a draft plea
2 agreement. AFPD Falk agreed that an exclusion of time is appropriate based on the defendant's
3 need for effective preparation of counsel. 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

4 SO STIPULATED:

5 SCOTT N. SCHOOLS
6 United States Attorney

7 DATED: 7/10/2007

/s/ Derek R. Owens
8 DEREK R. OWENS
Assistant United States Attorney

9 DATED: 7/10/2007

/s/ Elizabeth M. Falk
10 ELIZABETH M. FALK
Assistant Federal Public Defender

12 For good cause shown, the Court HEREBY ORDERS that time be excluded under the
13 Speedy Trial Act from July 10, 2007, to July 24, 2007. The Court finds, based on the
14 aforementioned reasons, that the ends of justice served by granting the requested continuance
15 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
16 the requested continuance would deny counsel reasonable time necessary for effective
17 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
18 of justice. The Court therefore concludes that this exclusion of time should be made under 18
19 U.S.C. §§ 3161 (h)(8)(A) and (B)(iv).

20 SO ORDERED.

21 DATED: _____

22 ELIZABETH D. LAPORTE
23 United States Magistrate Judge